

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM and SANDRA	§	
McCOLLUM, individually, and	§	
STEPHANIE KINGREY, individually and	§	
as independent administrator of the ESTATE	§	
OF LARRY GENE McCOLLUM,	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 4:14-cv-03253
	§	
BRAD LIVINGSTON, et al.,	§	
Defendants.	§	

UNOPPOSED MOTION TO WITHDRAW AND SUBSTITUTION OF COUNSEL

TO THE HONORABLE JUDGE KEITH ELLISON:

Alistair Dawson, Kate Skagerberg, Leslie Tronche, and the law firm of Beck Redden LLP (collectively, “Beck Redden”) respectfully request that this Court permit Beck Redden to withdraw as counsel of record for Defendant University of Texas Medical Branch (“UTMB”).

Beck Redden appeared as additional counsel for the UTMB on December 8, 2014. On March 11, 2015, David Beck, a partner in Beck Redden LLP, was confirmed as a Regent of the University of Texas System. Though Beck Redden understands that Tex. Educ. Code § 51.923 would permit the firm to continue representing UTMB, Beck Redden is sensitive to the concern that its continued representation of UTMB could be perceived by some as somehow inappropriate. To avoid even the appearance of impropriety, Beck Redden asks that this Court permit it to withdraw as counsel of record.

Graig J. Alvarez, Stephen Fernelius and Kara Stauffer Philbin of Fernelius Alvarez Simon PLLC will be substituting as counsel for UTMB. Mr. Alvarez’s federal bar number is

22596, Mr. Fernelius's federal bar number is 14121, and Ms. Philbin's federal bar number is 685342. Their office address, email address, telephone number and fax number are as follows:

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UTMB is also represented by J. Lee Haney and Shanna Molinare of the Texas Attorney General's Office. The Attorney General's Office will continue representing UTMB in the present action.

UTMB consents to the withdrawal of Beck Redden.

This withdrawal and substitution is not sought for delay.

Conclusion and Prayer

WHEREFORE, UTMB requests that the Court enter an order withdrawing Alistair Dawson, Kate Skagerberg, Leslie Tronche, and the law firm of Beck Redden LLP, and

substituting Graig J. Alvarez, Stephen M. Fernelius and Kara Stauffer Philbin of Fernelius Alvarez Simon PLLC, as counsel of record for Defendant University of Texas Medical Branch in this action.

Dated: May 11, 2015

BECK | REDDEN LLP

/s/ Alistair Dawson

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**COUNSEL FOR DEFENDANTS UNIVERSITY
OF TEXAS MEDICAL BRANCH**

FERNELIUS ALVAREZ SIMON PLLC

/s/ Graig J. Alvarez

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CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with counsel for all parties and that they are unopposed to the relief requested herein.

/s/ Alistair Dawson

ALISTAIR B. DAWSON

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on all counsel of record who have consented to electronic service on this 11th day of May, 2015, in compliance with Federal Rule of Civil Procedure 5(b).

/s/ Alistair Dawson

ALISTAIR B. DAWSON